

CITY OF SURPRISE
Planning and Zoning Commission Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Thursday, November 18, 2021 @ 6:00 PM



MEETING LOCATION:

ARIZONA TECHCELERATOR
12425 WEST BELL ROAD
SURPRISE AZ 85374

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Current Events and Reports
- E. Staff Reports
- F. Planning and Zoning Commission Agenda:

CALL TO THE PUBLIC:

INSTRUCTIONS: In order to address the Board\Commission, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the Secretary before the meeting begins.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address the Board\Commission only on issues within the jurisdiction of the Board\Commission which are not an item on the agenda. At the conclusion of the open call, the Board\Commission may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

CONSENT AGENDA:

- | | | | |
|----|----------|--|--|
| 1. | Internal | Consideration and action to approve or disapprove the November 4, 2021 Planning and Zoning Commission Minutes. | Ashley Labhart
Community
Development |
|----|----------|--|--|

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|----|------------|--|---|
| 2. | District 1 | Consideration and action pertaining to a Major Amendment to the General Plan 2035 Land Use Map to change approximately 190.54 acres of Commerce and Office Character Area to Neighborhood Character Area, generally located north of Grand Avenue and east of 163rd Avenue. Case FS21-257. | Sergio Angulo
Community
Development |
|----|------------|--|---|

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- G. Other Business and Future Agenda Items
- H. Executive Session

For information purposes: Upon a public majority vote of a quorum ("Commission"), the Commission may hold an executive session, which will not be open to the public, but for only the following purposes: discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03(A)(2));

or discussion or consultation for legal advice with the attorney or attorneys of the public body (A.R.S. §38-431.03(A)(3)).

Confidentiality Requirements: Pursuant to A.R.S. §38-431.03(C)(D), any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney or by agreement of the Commission, or as otherwise ordered by a court of competent jurisdiction.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

I. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: November 9, 2021 at 2:45 PM

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Planning and Zoning Commission Meeting

Council Meeting Date: November 18, 2021 Contact Person: Ashley Labhart
Submitting Department: Community Development District: Internal
Staff Recommendations:

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to approve or disapprove the November 4, 2021 Planning and Zoning Commission Minutes.

Motion:

I move to approve/disapprove the November 4, 2021 Planning and Zoning Commission Minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 11-4-21 PZ MIN
-

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

November 4, 2021 / 6:00 PM

**COUNCIL CHAMBERS
16000 North Civic Center Plaza
Surprise, AZ 85374**

CALL TO ORDER.

Chair Dennis Bash called the Planning and Zoning Commission Meeting to order at 6:00 p.m. at Surprise City Hall, 16000 North Civic Center Plaza, Surprise, Arizona 85374, on November 4, 2021.

A. ROLL CALL

In attendance was Chair Dennis Bash, Vice Chair Kevin Sartor, Commissioner Ken Chapman, Commissioner Dennis Smith, Commissioner Mitchell Rosenbaum, Commissioner Matthew Keating and Commissioner Jared Holland.

STAFF PRESENT:

Ellen VanRiper, Chief Deputy City Attorney; Chris Boyd, Community Development Director; Lloyd Abrams, Assistant Director of Community Development; Jason Moquin, Planning Manager; Sergio Angulo, Current Planner; Trever Fleetham, Current Planner and Ashley Labhart, Planning and Zoning Secretary.

COUNCIL MEMBERS PRESENT:

None.

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

Mr. Boyd reminded the Commissioners of the upcoming off-site Planning and Zoning Commission meeting on November 18, 2021 and also provided roadway updates pertaining to specific development activity.

D. STAFF REPORT

None.

CALL TO THE PUBLIC:

Chair Bash opened the call to the public to discuss any items not listed on the agenda.

Walton Matkin – Surprise, AZ – Spoke on potential danger and associated impacts of air traffic in a high density area

Hearing no further requests, Chair Bash closed the call to the public.

CONSENT AGENDA:

Item 1 – Internal – Consideration and action to approve or disapprove the October 21, 2021 Planning and Zoning Commission Minutes.

Commissioner Chapman made a motion to approve the October 21, 2021, Planning and Zoning Commission Minutes as presented.

Commissioner Smith seconded the motion. Vice Chair Sartor abstained. Motion passed with 6 votes in favor.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING:

ITEM: 2 – District 6 - Consideration and action pertaining to the Major Amendment to the Surprise Pointe Bendalin Farms PAD for Level Crossing Phase 2. Case FS20-749

Trever Fleetham, Current Planner, presented item 2 to the Commission.

Chair Bash opened the public hearing.

Hearing no requests, Chair Bash closed the public hearing.

Commissioner Rosenbaum made a motion to recommend approval of the proposed PAD Amendment for Level Crossing Phase 2 to the City Council subject to stipulations “a” and “b” as outlined in the staff report.

Commissioner Holland seconded the motion. Motion passed with 7 votes in favor.

ITEM: 3 – Citywide - Consideration and action regarding Section 106-10.40 Self-storage facilities of the Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to improve clarity and remove conflicts. Case FS21-413

Trever Fleetham, Current Planner, presented item 3 to the Commission.

Chair Bash opened the public hearing.

Hearing no requests, Chair Bash closed the public hearing.

The Commission discussed the following:

- Effects on residential areas
- Citizen concerns
- Market dictation
- Commission approval/disapproval parameters
- Commercial project types
- Community input
- Definitions
- PAD development
- Employment
- Economic benefits
- Community growth

Chair Bash made a motion to recommend approval of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to improve clarity and remove conflicts to the City Council, with alternative language to keep the two acre maximum requirements and add to the definition of “adjacent”, the inclusion of 50 feet from residential zoned areas. Commissioner Rosenbaum seconded the motion. Commissioner Keating voted against. Motion passed with 6 votes in favor.

ITEM: 4 – District 1 - Consideration and action pertaining to the Rezoning of approximately 27.41 acres from Rural Residential (RR) to Residential High Density (R-3), generally located south of Happy Valley Road and east of 158th Avenue. Case FS21-444

Sergio Angulo, Current Planner, presented item 4 to the Commission.

Chair Bash opened the public hearing.

Hearing no requests, Chair Bash closed the public hearing.

The Commission discussed the following:

- Buffers
- Roadways and traffic
- Density
- Amenities

Commissioner Keating made a motion to recommend approval of the Zone Change of approximately 27.41 acres from Rural Residential (RR) to Residential High Density (R-3), subject to stipulations ‘a’ through ‘g’ as memorialized in the staff report.

Commissioner Sartor seconded the motion. Motion passed with 7 votes in favor.

ITEM: 5 – District 1 - Presentation and action pertaining to a Major General Plan Amendment to change approximately 190.54 acres of Commerce and Office Character Area to Neighborhood Character Area, generally located north of Grand Avenue and east of 163rd Avenue. Case FS21- 257

Sergio Angulo, Current Planner, presented item 5 to the Commission.

Jeff Blilie of Beus Gilbert McGroder was present and provided feedback and information in response to questions and comments received.

Chair Bash opened the public hearing.

Curtis Schultz – Surprise, AZ – Nearby business/property owner expressed concerns of being included in the request and asked to be excluded from any zone changes

Hearing no additional requests, Chair Bash closed the public hearing.

The Commission discussed the following:

- Roadway development and infrastructure improvements

Presentation and discussion only, no action taken.

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING:

ITEM: 6 – District 6 - Consideration and action pertaining to the Site Plan for Level Crossing Phase 2. Case FS20-749

Trever Fleetham, Current Planner, presented item 6 to the Commission.

The Commission discussed the following:

- Circulation
- Ingress/egress

Commissioner Holland made a motion to approve the Site Plan for Level Crossing Phase 2 subject to stipulations “a” through “e” as outlined in the staff report.

Commissioner Smith seconded the motion. Motion passed with 7 votes in favor.

ITEM: 7 – District 3 - Consideration and action pertaining to the Preliminary Plat entitled “Preliminary Plat Unit K – Phase 3 – Toll at Prasada”. Case FS21-399

Trever Fleetham, Current Planner, presented item 7 to the Commission.

Commissioner Sartor made a motion to recommend approval of the Preliminary Plat entitled “Preliminary Plat Unit K – Phase 3 – Toll at Prasada” to the City Council subject to stipulations “a” through “c” as outlined in the staff report.

Commissioner Chapman seconded the motion. Motion passed with 7 votes in favor.

ITEM: 8 – District 1 - Consideration and action pertaining to the Preliminary Plat entitled “Preliminary Plat for Enclave I & Enclave II,” dated September 2, 2021, a property generally located north of Happy Valley Road and east of 163rd Avenue. Case FS21-262

Trever Fleetham, Current Planner, presented item 8 to the Commission.

Commissioner Rosenbaum made a motion to recommend approval of the Preliminary Plat entitled “Preliminary Plat for Enclave I & Enclave II”, to the City Council subject to stipulations “a” through “d” as memorialized in the staff report.

Commissioner Holland seconded the motion. Motion passed with 7 votes in favor.

ITEM: 9 – District 1 - Consideration and action pertaining to the Preliminary Plat entitled “Preliminary Plat for Paloma Creek Phase 5 & Enclave III”, dated September 29, 2021, a property generally located north of Happy Valley Road and east of 163rd Avenue. Case FS21-271

Trever Fleetham, Current Planner, presented item 9 to the Commission.

The Commission discussed the following:

- Circulation
- Ingress/egress

Commissioner Chapman made a motion to recommend approval of the Preliminary Plat entitled “Preliminary Plat for Paloma Creek Phase 5 & Enclave III”, to the City Council subject to stipulations “a” through “f” as memorialized in the staff report.

Commissioner Smith seconded the motion. Motion passed with 7 votes in favor.

ITEM: 10 – District 3 - Consideration and action pertaining to the Site Plan for BTR Paradisi. Case FS20-794

Trever Fleetham, Current Planner, presented item 10 to the Commission.

The Commission discussed the following:

- Parking

Commissioner Holland made a motion to approve the Site Plan for BTR Paradisi subject to stipulations “a” through “d” as outlined in the staff report.

Commissioner Keating seconded the motion. Motion passed with 7 votes in favor.

ITEM: 11 – District 1 - Consideration and action pertaining to the Preliminary Plat for Heritage Asante Parcel 9, located on the southwest corner of Pat Tillman Boulevard and Asante Boulevard. Case FS21-220

Sergio Angulo, Current Planner, presented item 11 to the Commission.

Commissioner Smith made a motion to recommend approval of the Preliminary Plat entitled “Preliminary Plat for Heritage - Asante Parcel 9” dated August 2021, subject to stipulations ‘a’ – ‘d’ as memorialized in the staff report.

Commissioner Sartor seconded the motion. Motion passed with 7 votes in favor.

ITEM: 12 – District 1 - Presentation and action pertaining to the Preliminary Plat for Ellen Ranch, located on the northeast corner of Happy Valley Road and 163rd Avenue. Case FS21-251.

Sergio Angulo, Current Planner, presented item 12 to the Commission.

The Commission discussed the following:

- Future development in nearby parcel

Vice Chair Sartor made a motion to recommend approval of the Preliminary Plat entitled “Preliminary Plat for Ellen Ranch”, dated August 11, 2021, subject to stipulations ‘a’ – ‘f’ as memorialized in the staff report.

Commissioner Rosenbaum seconded the motion. Motion passed with 7 votes in favor.

OTHER BUSINESS:

Item G – Other Business and Future Agenda Items.

Commissioner Chapman wishes to see separation scenarios and possibilities as it pertains to storage facilities.

ADJOURNMENT:

Hearing no further business, Chair Bash called for a motion to adjourn. Commissioner Rosenbaum made a motion to adjourn, Commissioner Chapman seconded the motion. All voted in favor.

Meeting adjourned at 7:43 P.M.

Dennis Bash
Planning and Zoning Commission Chair

The foregoing instrument is a full, true and correct copy of the original document on file in the office of the City Clerk, City of Surprise, Arizona.

ATTEST BY: _____
Ashley Labhart, Commission Secretary

DATE: _____



CITY OF SURPRISE
Planning and Zoning Commission Meeting

Council Meeting Date: November 18, 2021 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
Staff Recommendations:

Consent: No Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to a Major Amendment to the General Plan 2035 Land Use Map to change approximately 190.54 acres of Commerce and Office Character Area to Neighborhood Character Area, generally located north of Grand Avenue and east of 163rd Avenue. Case FS21-257.

Motion:

I move to recommend approval of the Major Amendment to the General Plan 2035 Land Use Map to change approximately 190.54 acres of Commerce and Office Character Area to Neighborhood Character Area, generally located north of Grand Avenue and east of 163rd Avenue.

Background:

On April 1, 2021 EPS Group, submitted a request for a Major General Plan Amendment to change approximately 190.54 acres of Commerce and Office Character Area to Neighborhood Character Area, generally located north of Grand Avenue and east of 163rd Avenue. On November 4, 2021, the Planning and Zoning held the first of two (2) public hearings required by ARS 9-461.06.

Objective Analysis:

Policy Compliant:

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 00 - FS21-257 163rd Ave & Grand Major GPA - Staff Report - PZ 11-18-2021
 2. 01 - FS21-257 163rd Ave & Grand - Major GPA - Vicinity Map - PZ 11-18-2021
 3. 02 - FS21-257 163rd Ave & Grand - Major GPA Document - PZ 11-18-2021
 4. 03 - FS21-257 163rd Ave & Grand - Major GPA - Outside Agencies Comments - PZ 11-18-2021
 5. 04 - FS21-257 163rd Ave & Grand - Major GPA - Affidavit of Site Posting - PZ 11-18-2021
 6. 05 - FS21-257 163rd Ave & Grand - Citizen Participation Report_Redacted - PZ 11-18-2021
 7. FS21-257 163rd Ave & Grand Major GPA - PowerPoint - PZ 11-18-2021
-

MAJOR GENERAL PLAN AMENDMENT

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS21-257

Project Name: 163rd Ave & Grand

Council District: 1 – Acacia

Meeting Date: November 18, 2021

Planner: Sergio Angulo, Planner II

Owners: Joseph A Soldevere/Arlene R Rev Trust, Valparaiso LLC, Hancock Lawrence G, Campania LLC, Barclay Surprise Inc., et al.

Applicant: Josh Hannon with EPS Group Inc.

Request: Major General Plan Amendment to change the land use designation of 190.54 acres from Commerce and Office to Neighborhood Character.

Site Location: Generally located north of Grand Avenue and east of 163rd Avenue

Dwelling Units: N/A

Site Size: 190.54 acres (approx.)

Density: N/A

General Plan Conformance: The proposal is consistent with the Surprise General Plan.

Support/Opposition: The applicant held a neighborhood meeting on July 29, 2021. Residents of the vicinity attended the meeting to ask questions and express their opinions on this project. There was no opposition to this project at the meeting.

Staff Recommendation: Staff recommends the Commission move to recommend **approval** of the Major Amendment to the General Plan 2035 Land Use Map case **FS21-257** to the City Council.

Background:

March 11, 2021: Staff met with the applicant to discuss the project during a regularly scheduled Concept Review meeting under CR21-146.

April 1, 2021: The applicant filed a related request for a Major General Plan Amendment under case FS21-257, the subject case.

July 29, 2021: The applicant held a neighborhood outreach meeting to discuss the project.

November 4, 2021: The Planning and Zoning Commission held the first of two (2) public hearings required by ARS 9-461.06.

Citizen Outreach:

As noted above, the applicant held a hybrid, in-person and virtual, neighborhood outreach meeting on July 29, 2021, which was advertised per state law and requirements of the Surprise Land Development Ordinance (LDO). Residents from the vicinity attended the meeting to learn about the project and to ask questions. Attendees had questions in regards to the process, proposed uses onsite, and infrastructure improvements to the area. There was no opposition to this Major General Plan Amendment at the meeting. See the attached Citizen Participation Report for a full meeting summary.

Project Description:

Josh Hannon with EPS Group Inc. requests approval of a Major General Plan Amendment to change the land use designation on approximately 190.54 acres from Commerce and Office Character to Neighborhood Character. The general plan requires that any change in character area land use designation from Commerce and Office to Neighborhood be processed as major amendments. Per Arizona Revised Statutes (ARS) 9-461.06, the City of Surprise will consider major amendments to the Surprise General Plan 2035 once each year at a single public hearing. The major amendment applications must be submitted within the same year they are heard and a two-thirds majority vote of the City Council is needed to approve them. Prior to the City Council hearing, ARS 9-461.06 requires that planning commissions in municipalities having a population over 25,000 hold two (2) public hearings. The first planning commission hearing took place on November 4, 2021.

In addition, ARS 9-461.06 requires that a major general plan amendment be transmitted to outside agencies for review at least 60 days prior to when the general plan amendment hearing is noticed. Staff transmitted the amendment request to outside agencies on August 13, 2021 and complied with this requirement.

Analysis and Discussion:

The area that is being modified is approximately 190.54 acres and is located south of Pinnacle Peak Road, east of 163rd Avenue, and north of Grand Avenue. The majority of the area covered in the proposed amendment is currently outside the City limits, with the exception of the general area located west of 162nd Drive, north of Grand Avenue, and east of 163rd Avenue. The amendment area includes rural residential lots, Sunrise Nursery, 303 RV Storage, and vacant properties.

The intent of the commerce and office designation in this location was to take advantage of the intersection of two regional significant roads; Grand Avenue and 163rd Avenue. The current designation is not suitable for the property as it has minimal property frontage for accessibility, allowing for only one full access ingress/egress near the intersection of 163rd Ave and 162nd Drive, which run parallel to each other. Given the access constraints into the site, the applicant requests this amendment to the land use designation to allow for the development of a high-quality multi-family and single-family residential community, with potentially some limited commercial/office uses along 163rd Avenue. If approved, this will leave approximately 126 acres of vacant commercial and mixed-use property on the west side of 163rd Avenue.

In conjunction with this Major General Plan Amendment, the applicant is requesting an Annexation (case FS21-512) of a portion of the subject property. Following the annexation, the applicant proposes a Zone Change (case FS21-513) on 93 acres (approx.) of Residential Ranch (RR) to Residential Low Density (R-1) and Residential High Density (R-3) to allow for the development of a high-quality multi-family and single-family residential community.

Utility and Services Table:

Electric:	APS
Water:	N/A
Wastewater:	N/A
Schools:	Dysart Unified School District

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Commerce and Office Character Area. The application is requesting approval of a Major General Plan Amendment to change the land use designation of approximately 190.54 acres from Commerce and Office to Neighborhood Character. The proposed amendment complies with the requirements of the general plan for a major amendment.

Reviewing Agencies:

November 18, 2021 P&Z
163rd Ave & Grand Ave
Major GPA
Case: FS21-257
Page 3 of 4

In addition to the standard city reviewing agencies, Arizona Department of Transportation, Maricopa County Planning and Development Department, and Luke AFB were included in the routing of this request. None of the reviewing agencies indicated any concerns over the request.

Summary:

Approval of this Major General Plan Amendment will allow the applicant to move forward with annexation case FS21-512 and rezone case FS21-513.

Findings:

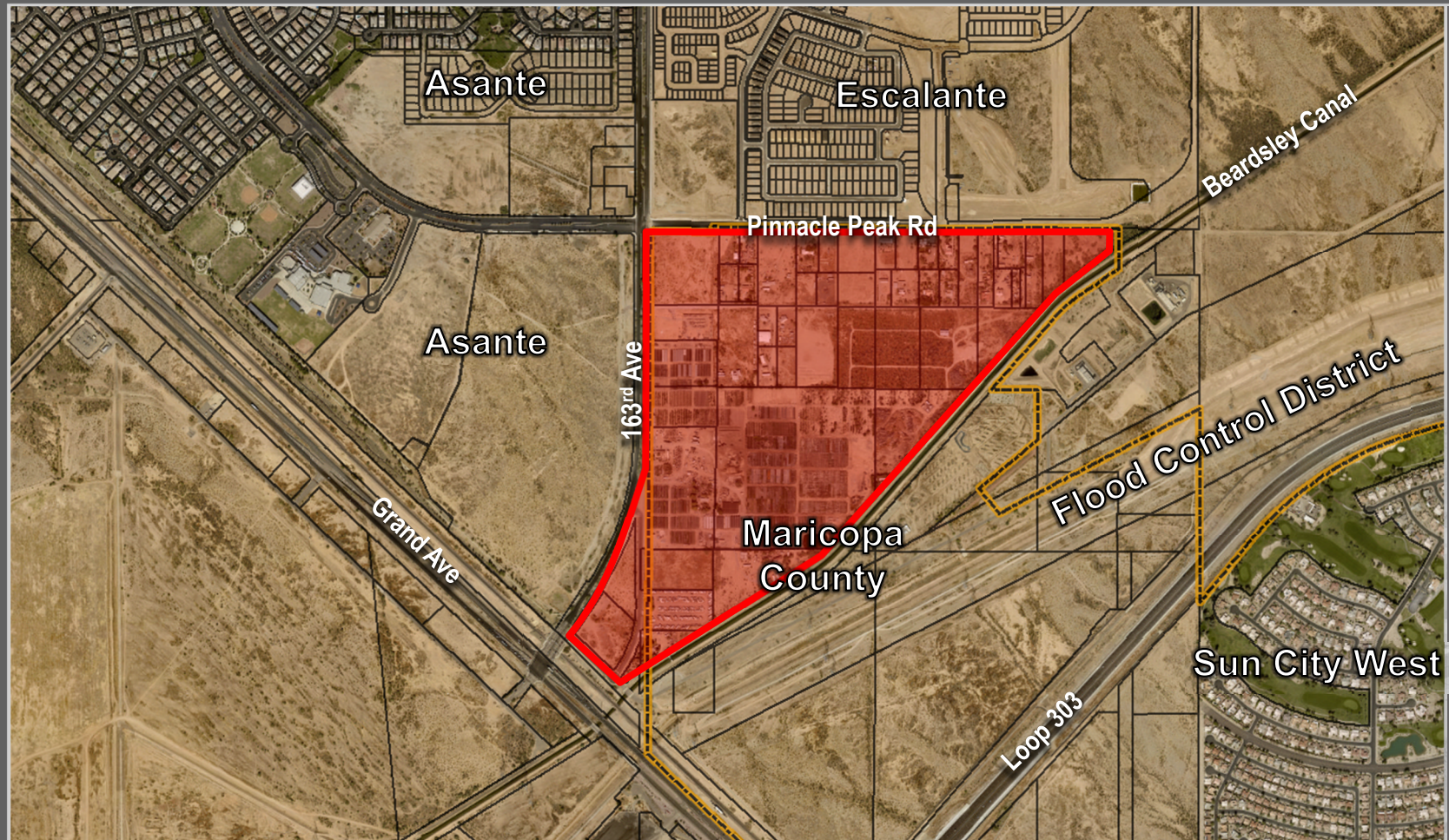
- The proposed Major General Plan Amendment complies the requirements under ARS 9-461.06.

Recommendation:

Based on the findings noted above, staff recommends the Commission move to recommend **approval** of case **FS21-257** to the City Council.

Attachments:

- 01 Vicinity Map
- 02 General Plan Amendment Document
- 03 Outside Agencies Comments
- 04 Affidavit of Site Posting
- 05 Citizen Participation Report



VICINITY MAP

Submitted: March 30, 2021

Revised: September 16, 2021

Major General Plan Amendment

Project Narrative

163rd Ave & Grande Ave

Property Owner/Applicant

Valparaiso LLC
Campania LLC
22435 N 163rd Avenue
Surprise, AZ 85387
Email: patty@ptlaaz.com
Contact: The Land Agency
c/o Paul Lafferty

Land Use Attorney

Beus Gilbert McGroder PLLC

701 N 44th Street
Phoenix, AZ 85008
Tel: 480.429.3000
Contact: Jeffrey Blilie

Engineering & Planning Consultant

EPS Group, Inc.

1130 N Alma School Road, Suite 120
Mesa, AZ 85201
Tel: 480.503.2250
Contact: Josh Hannon

PROJECT INTRODUCTION & LOCATION

EPS Group, Inc., on behalf of the Property Owner, submits this Major General Plan Amendment request for a proposed predominantly residential project on ±190.54-acres, located on the north of the northeast corner of 163rd Avenue and Grand Avenue within the general planning limits of Surprise, Arizona. The site is currently undeveloped, agricultural land and is identified as Maricopa County Assessor Parcel Numbers (APNs): 503-57-003B, -004D, -004J, -005B, -005D, -005E, -005F, -006, -007F, -007G, -007H, -007J, -007K, -008C, -008D, -008E, -009J, -009K, -009L, -009P, -009U, -009W, -009X, -009Z, -010F, -010G, -010K, -010L, -010M, -010N, -010Q, -010R, -010S, -010T, -021A, -025Y, -025Z, -026, -028B, -031, -033A, -033B, -034, -035, -038A, -039, -040, -041A, -041B, -042A, -043, -044, -045, -046, -047, -048, -049A, -049B, -051, -052, 503-73-755, -756A, -756B, & -028V.

DESCRIPTION OF REQUEST

This request is for a Major General Plan Amendment from the current Character Area designation of Commerce & Office to Neighborhood. The current designation is not suitable for the property as it has minimal property frontage for accessibility, allowing for only one full access ingress/egress near the intersection of 163rd Ave and 162nd Drive, which run parallel to each other. Additionally, this site is not suitable for 'typical' shopping areas or office development given the scale of the site and the abundance of better situated commercial/office acreage on the west side of 163rd Avenue. As such, the purpose of this requested amendment is to allow the development of a high-quality multi-family and single-family residential community, with potentially some limited commercial/office uses along 163rd Avenue.

An Annexation and Rezone request to incorporate the site into the City of Surprise planning area and zone to R-1 & R-3 are currently under City review under Case Numbers: FS21-512 & FS21-513.

Project Data	
Location	NEC 163 rd Avenue & Grand Avenue
Current Land Use	Residential/Agriculture/Undeveloped
Existing General Plan Character Area	Commerce & Office
Proposed General Plan Character Area	Neighborhood
Existing Zoning District	RU-43 (Maricopa County)
Site Area	190.54-Acres
Water Service Method	City of Surprise
Wastewater Disposal Method	City of Surprise

ADVANCEMENT OF THE GOALS AND POLICIES OF THE SURPRISE GENERAL PLAN 2035

Approval of the Major General Plan Amendment is the first step in the process to allow for this future development. This development will advance the following Goals and Policies of the City of Surprise General Plan 2035:

Development

Growth Element

Goal 1: Sustainable Growth: Policy #1: Promote infrastructure expansion where it will be more efficient and effective, and minimizes adverse impacts outside the identified growth areas.

Land Use Element

Goal 1: Unique Community: Policy #4: City of Surprise will promote future development plans that provide opportunities for residents to engage in public activities locally through neighborhood-scale retail and housing developments; enhanced greenspace and recreation opportunities; enhanced transportation options for the community, including improved pedestrian and bicycle infrastructure; and the connection of the city through streetscape corridors.

Goal 5: Natural Conditions: Policy #4: The city shall work to provide publicly accessible linear greenspaces and trails along the CAP canal, McMicken Dam Outlet channel, Trilby Wash, Iona Wash and other regionally significant wash corridors identified on the Character Area map.

Goal 5: Variety of Housing: Policy #1: The City shall encourage development of neighborhoods that broaden the choice of type, size, and affordability of housing in Surprise.

Neighborhood

Neighborhood Planning Element

Goal 1: Quality of Life: Policy #6: Create and maintain a safe neighborhood environment that emphasizes safety and comfort for all members of the community.

Housing Element

Goal 1: Housing Stock: Policy #2: Promote physical design, building structure, lot layout relationships, and landscaping opportunities between existing and new housing construction to help the new developments complement the surrounding neighborhoods.

Goal 1: Housing Stock: Policy #6: Explore other creative housing opportunities such as live-work spaces in suburban, urban, and residential mixed-use areas, where appropriate to the character of the area.

Goal 1: Housing Stock: Policy #8: Promote and facilitate the build out of vacant and underutilized land through infill, reuse, revitalization and redevelopment activities for appropriate rural, suburban or urban housing development.

HISTORICAL DATA

The historical data of this undeveloped site has remained unchanged for many years. Parcel 503-57-003B received a Special Use Permit for Retail Nursery uses under Z96-9 and was approved in 1996. Parcel 503-57-021A also received a Special Use Permit to allow for an AT&T Communication Monopole under Z99-56; and was amended in 2012 under case Z2012033.

INFRASTRUCTURE

Development of this site will be in accordance with the City of Surprise Land Development Ordinance (LDO) and Planning Engineering Design Standards (PEDS).

ACCESS

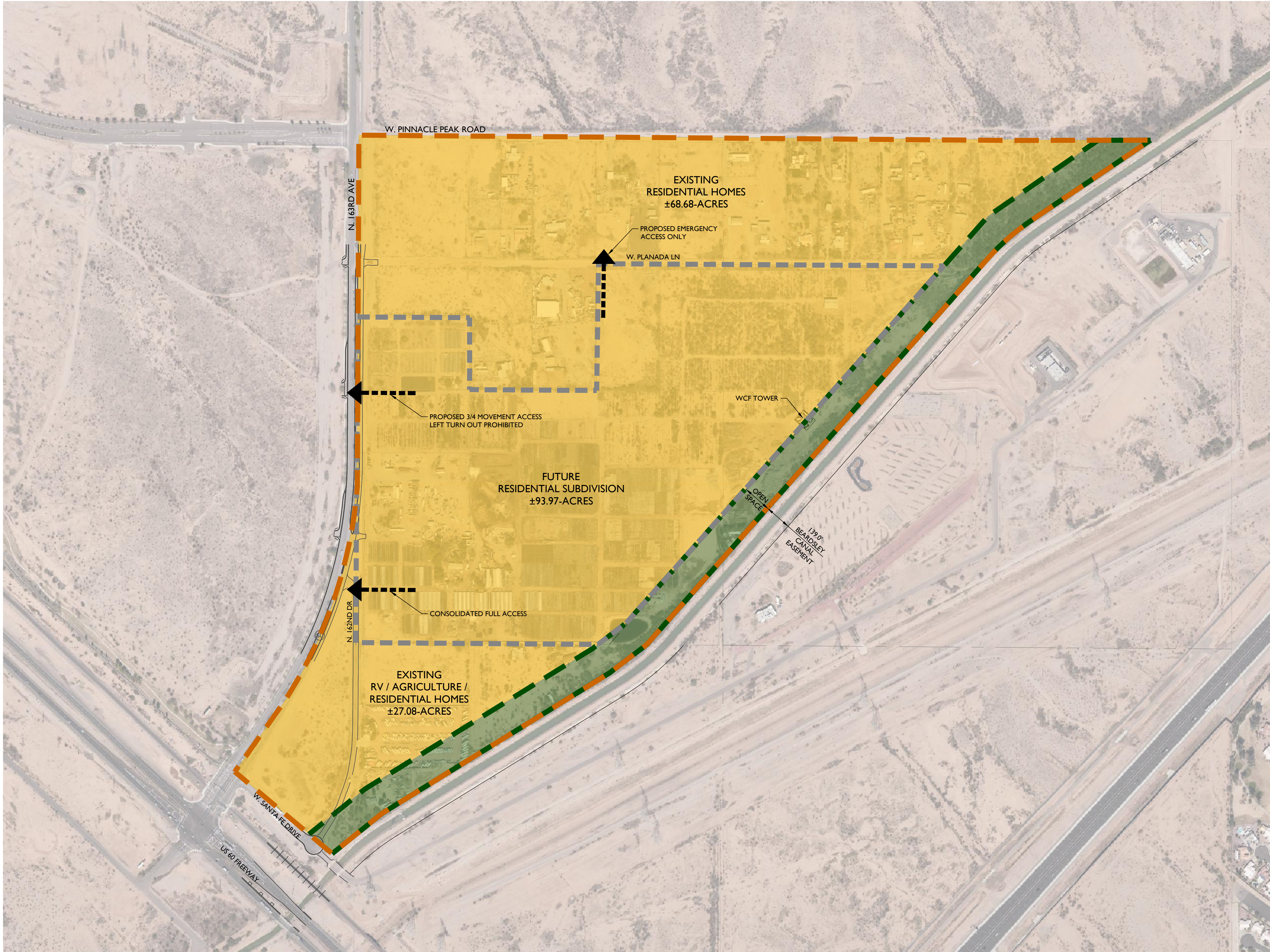
All on-site and adjacent public streets shall be designed and constructed to meet City standard widths and cross sections at the time of development. It is anticipated that an additional 13' of Right-of-Way will be dedicated along N. 163rd Avenue to provide a full 68' of half-street right-of-way. Access to the proposed community will be provided off of 163rd, south of Planada, with limited $\frac{3}{4}$ movements. Another access point will be provided near the joint of 163rd Ave and 162nd Avenue, where two existing driveways will be consolidated into a single drive to serve the community. Additionally, an emergency access and 30' half-street along Planada Lane is proposed. A Traffic Impact Study will be provided with future applications.

WATER & WASTEWATER

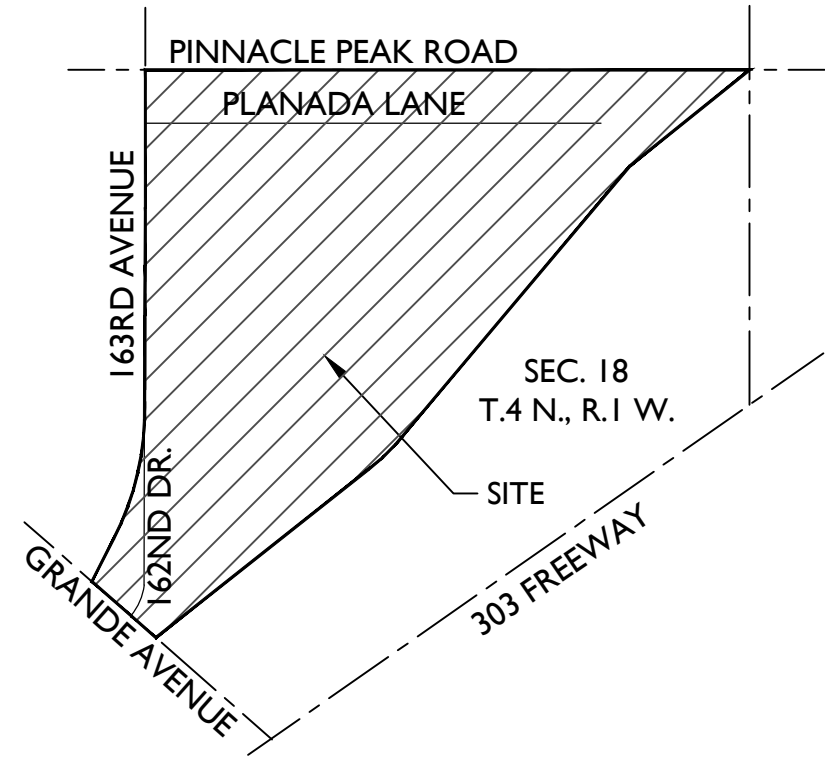
Water and Wastewater will be provided by the City of Surprise. A Water and Wastewater Master Plan will be prepared in accordance with City of Surprise Integrated Water Master Plans and will be submitted with future applications. A well site will also be dedicated within the open space along the Beardsley Canal.

CONCLUSION

We respectfully request your favorable consideration of the submitted documents and look forward to working with the City of Surprise to implement this exciting new development.



VICINITY MAP



PROJECT TEAM

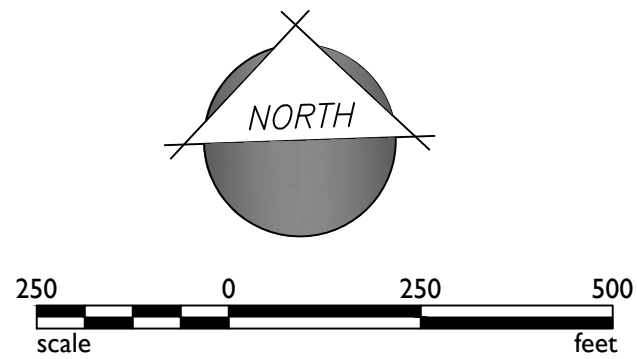
PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
SURPRISE, AZ 85387
TEL: 602-628-7840
CONTACT: THE LAND AGENCY
c/o PAUL LAFFERTY
email: patty@tlaz.com

PLANNING & ENGINEERING:
EPS GROUP, INC.
1130 N ALMA SCHOOL RD., STE 120
MESA, AZ 85201
TEL: (480) 503-2250
CONTACT: DAN AUXIER / JOSH HANNON
email: dan.auxier@epsgruoinc.com / josh.hannon@epsgruoinc.com

LAND USE ATTORNEY:
BEUS GILBERT
701 N 44TH ST
PHOENIX, AZ 85008
TEL: 480-429-3000
CONTACT: JEFFREY BLILIE
email: jblilie@beusgilbert.com

PROJECT DATA

APN(s):	503-57-003B, -004D, -004J, -005B, -005D, -005E, -005F, -006, -007F, -007G, -007H, -007J, -007K, -008C, -008D, -008E, -009J, -009K, -009L, -009P, -009U, -009VV, -009X, -009Z, -010F, -010G, -010K, -010L, -010M, -010N, -010Q, -010R, -010S, -010T, -021A, -025Y, -025Z, -026, -028B, -031, -033A, -033B, -034, -035, -038A, -039, -040, -041A, -041B, -042A, -043, -044, -045, -046, -047, -048, -049A, -049B, -051, -052, 503-73-755, -756A, -756B, & -028V
SITE AREA:	±190.54 ACRES
EXISTING LAND USE:	RESIDENTIAL/AGRICULTURE/ UNDEVELOPED
PROPOSED LAND USE:	MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL
EXISTING GENERAL PLAN:	COMMERCE/OFFICE
PROPOSED GENERAL PLAN:	NEIGHBORHOOD



March 30, 2021 - 1st Submittal	
June 1, 2021 - 2nd Submittal	
July 6, 2021 - 3rd Submittal	
July 30, 2021 - 4th Submittal	
September 16, 2021 - 5th Submittal	

From: JAMES, MARK C GS-12 USAF AETC 56 FW/CVE <mark.james.14@us.af.mil>
Sent: Thursday, August 19, 2021 3:31 PM
To: Sergio Angulo
Cc: 56 FW/CIT Community Initiative
Subject: RE: City of Surprise Case FS21-257 - Major Amendment to the General Plan 2035 - 60 Day Review Notice

******The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.******

Sergio,

Thank you for allowing Luke AFB to make comments on the Major Amendment to the General Plan 2035 Application. The purpose of this requested amendment is to allow the development of a high-quality multi-family and single-family residential community, with potentially some limited commercial/office uses along 163rd Avenue. The site is located on the northeast corner of 163rd Ave and Route 60 in Surprise, AZ. It is approximately 3.25 miles outside the 2004 Aux-1 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is inside the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

As described in the application, this request will not have a negative impact on Luke AFB Flight Operations. Since the site will be located inside the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights per day, as low as 1,500 feet above the ground. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant is essential to inform the tenant about Luke AFB operations.

Respectfully,

Mark James

Planning Manager, Community Initiatives Team
Luke AFB AZ 85309
Office: 623-856-9981
DSN: 896-9981

From: Katz, Paul <Paul.Katz@azag.gov>
Sent: Thursday, September 2, 2021 2:23 PM
To: Sergio Angulo
Subject: RE: City of Surprise Case FS21-257 - Major Amendment to the General Plan 2035 - 60 Day Review Notice

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Mr. Angulo,

As long as the Major Amendment to the Surprise General Plan 2035 will continue to prohibit new residential development in the High Noise and Accident Potential Zones ("HNAPZs") of Luke Air Force Base in accord with A.R.S. § 28-8481 the Arizona Attorney General's office has no reason to participate in the review of the Major Amendment. In the event that the Major Amendment intends to allow residential development within the HNAPZs the City of Surprise must comply with the requirements of A.R.S. § 28-8481 (I) and properly notify our office by certified mail. If you have any questions please do not hesitate to contact me.

Paul A. Katz

Assistant Attorney General
Arizona Attorney General's Office
2005 N. Central Avenue
Phoenix, AZ 85004
Direct: (602) 542-7785
Fax: (602) 542-4084
Email: paul.katz@azag.gov

CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING
(Sign modification)

Application No: FS21-257
Applicant Name: _____
Location: South of the Southeast corner of 163rd and Ave and Pinnacle Peak Rd
Date Site Posted: May 28th, 2021 sign modified: July 14th, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any type of public hearing in the City of Surprise shall erect two (2) signs giving notice of the date, time and place of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior** to the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the responsibility of the applicant to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the responsibility of the applicant to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt
Applicant/Representative Signature

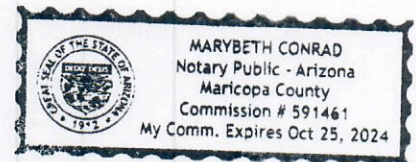
7-14-2021
Date

This instrument was acknowledged before me on this 14th day of July, 2021, and by Maria Hitt. I witness whereof I hereunto set my hand and official seal.

Marybeth Conrad
Notary Public

10-25-2021
My commission expires

Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least **fifteen (15) days prior** to the scheduled meeting(s).



AFFIDAVIT OF POSTING

Application No: FS21-512 and FS21-513

Applicant Name:

Location: South of the Southeast corner of 163rd Ave and Pinnacle Peak Rd

Date Site Posted: July 14, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt
Applicant/Representative Signature

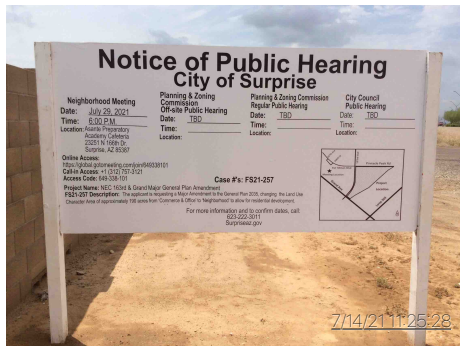
7-14-2021
Date

This instrument was acknowledged before me on this 14th day of July, 2021, and by Maria Hitt. I witness whereof I hereunto

set my hand and official seal.

Marybeth Conrad
Notary Public
10-25-2024
My commission expires





AFFIDAVIT OF POSTING
(Sign modification)

Application No: FS21-257
Applicant Name: EPS Group
Location: South of SEC 163rd Ave and Pinnacle Peak Rd
Date Site Posted: sign modified: October 15, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

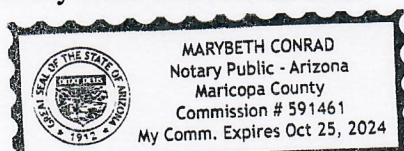
It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Meghan Liggett
Applicant/Representative Signature

10/15/21
Date

This instrument was acknowledged before me on this 15th day of October, 2021, and by Meghan Liggett. I witness whereof I hereunto set my hand and official seal.



Marybeth Conrad
Notary Public

10-25-24
My commission expires

*Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least fifteen (15) days **prior to** the scheduled meeting(s).*



Citizen Participation Report

NEC 163rd Avenue and Grand Ave

City of Surprise

September 16, 2021

Parties Affected by Annexation & General Plan Amendment Request

Individual Canvassing Survey letters were sent to all property owners south of Pinnacle Peak, east of 163rd/162nd Avenue and north of the Beardsley Canal to seek out surrounding owner interest in joining the existing General Plan Amendment and Annexation requests. A map of the area identified is provided in **Appendix 1**. The City of Surprise published a newspaper ad and sent out notice letters to the property owners to inform them of a neighborhood meeting, which was held on July 29, 2021.

The survey letter, provided in **Appendix 2**, included a fillable survey and all of the information required by the city to explain the annexation and general plan amendment process and application. Interested parties were instructed to return the survey portion to the project representative, Jeffrey Blilie with Beus Gilbert McGroder PLLC.

Parties Affected by Annexation, General Plan Amendment, & Rezone Applications

Individual Neighborhood Meeting Invitations were sent by the City of Surprise in addition to posting an ad in the newspaper. These letters were sent to all property owners within 300' of the approximately 190.54-gross acres generally located at the northeast corner of 163rd Avenue and Grand Avenue. The letters invited the property owners to attend the meeting and included all of the information required by the city to explain the annexation, general plan amendment, and rezoning applications.

The below interested parties have been identified as part of this process. Returned surveys, emails, and letters received as part of this process are provided in **Appendix 3**.

OWNER	ADDRESS	GPA & SURVEY CANVASS			NOT A PART
		NO RESPONSE	ANNEX	GPA	
ARREOLA ALFREDO/NORMA	[REDACTED]	X			
BARCLAY SURPRISE INC	[REDACTED]	X			
BLUESHORE HOLDINGS LLC	[REDACTED]	X			
BREWER MARIA D	[REDACTED]	X			
CAMACHO CESAR/LETITIA	[REDACTED]	X			
CAMPANIA LLC	[REDACTED]	X			
CAMPANIA LLC	[REDACTED]	X			
DEACETIS VINCENT/ GERALDINE TR	[REDACTED]	X			
FERNANDEZ CARMEN R	[REDACTED]	X			
FREDRICKSON FAMILY TRUST	[REDACTED]	X			
FRONSMAN ADELLA M	[REDACTED]		NO	NO	
FRONSMAN GEORGE/ CRYSTAL	[REDACTED]	X			
GOMEZ CONSEPCION S	[REDACTED]	X			
HANCOCK LAWRENCE G	[REDACTED]		NO	NO	
HERNANDEZ CASIMIRO	[REDACTED]		NO	NO	
HUEY RICHARD G/IRENE TR/ WONG W O/S O TR/ETAL	[REDACTED]		NO	YES	

JOSEPH A SOLDEVERE/ ARLENE R REV TRUST	[REDACTED]	X			
LENNAR COMMUNITIES DEVELOPMENT INC	[REDACTED]	X			
MC REAL ESTATE DEVELOPMENT LLC	[REDACTED]	X			
MORGAN CAREY D/LAUREN L	[REDACTED]	X			
ODOGUI SAMUEL/NELLIE	[REDACTED]	X			
OROZCO SALVADOR D	[REDACTED]	X			
PASILLAS ALBINA SOLIS/FRANCISCO	[REDACTED]	X			
PASILLAS ANTONIO C/ ROSARIO IBARRA	[REDACTED]	X			
PASILLAS ANTONIO/ AUGUSTIN	[REDACTED]	X			
PEAK RV STORAGE LLC	[REDACTED]	X			
SCHULTZ ENTERPRISES WEST LLC	[REDACTED]		NO	NO	
SKAGGS M R/M E/RUCH R J/N A	[REDACTED]	X			
SOLIS JUAN A JR/ MARTINEZ NORMA	[REDACTED]	X			
SOLIS JUAN A SR	[REDACTED]	X			
SOLIS MARIANO/CYNTHIA	[REDACTED]	X			
SOLIS MARIANO/CYNTHIA	[REDACTED]	X			
SOLIS MARTIN F/ ALEJANDRINA/PASILLAS ANTONIO C	[REDACTED]	X			
SOLIS MARTIN F/ ALEJANDRINA/ PASILLAS ANTONIO C	[REDACTED]	X			
STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV	[REDACTED]		NO	NO	
TELLEZ ELIZABETH ANNAMARIE/ VERONICA ADELICIA	[REDACTED]	X			
VALPARAISO LLC	[REDACTED]	X			
VALPARAISO LLC	[REDACTED]	X			
VARGAS ALEJANDRINA HERNANDEZ	[REDACTED]	X			
WALKER RONALD/PAULA	[REDACTED]	X			
WEBB GARY	[REDACTED]				X
PHILLIPS SCOTT & JANICE	[REDACTED]				X
KEATING MATT	[REDACTED]				X

ODOGUI SAM & NELLIE					X
FRONSMAN CRYSTAL					X

Notification and Information Procedures

We will meet all City noticing requirements for annexing, rezoning, and amending the general plan land use designation of the property. These include notice of Public Hearing letters to be sent to surrounding property owners within 300' of the Property and other interested stakeholders, as identified on the buffer map provided in **Appendix 4**. The notification letters will include case information as well as our contact information. The interested parties and stakeholders identified are listed in **Appendix 5**.

We will post the site on our 163rd Avenue frontages with signs informing of the proposed annexation, general plan amendment, and rezoning request within the required timeframes. We have worked with City staff on the exact location and number of posted signs. Photographic evidence and the affidavit of posting are provided in **Appendix 6**.

Response Procedures

We will continue to respond to all input and comments received from parties affected by our application. We will also provide our responses to City Staff for their records. We will follow-up as necessary to ensure proper responses are provided and information is shared regarding the status of the request to interested stakeholders.

Schedule of Completion

June - Conducted Public outreach to generally secure maximum coordination of plans and to indicate properly located sites for all public purposes on the general plan. Consulted with, informed, and provided an opportunity for official comment by:

- All property owners south of Pinnacle Peak
- All property owners east of 163rd/162nd Avenue
- All property owners north of the Beardsley Canal

July – Completed Review and Submitted a Citizen Participation Plan to reflect outreach strategies to engage property owners and residents.

July 14 - Posted notifications on site (2 signs for the GPA and 3 for the rezoning and annexation) at least 15 days in advance of the Neighborhood Meetings, on July 14, 2021.

The City of Surprise published notification with local newspapers, press release, City website, and social media and mailed letters to property owners and neighbors at least 15 days in advance of the Neighborhood Meeting.

This Citizen Participation Report includes a list of attendees and an accurate account of the items discussed such as opposition, proposed alternatives solutions (by either neighbors or applicant), responses to proposed solutions, and any mutual agreements reached during the meeting. The Sign-In List is provided in **Appendix 7**. Completed Comment Cards are provided in **Appendix 8**.

July 19, 2021 – Held Neighborhood Meeting at the Asante Preparatory Academy at 6:00 PM.

August – Began 60-day notice: transmit the proposal to P&Z, City Council, and submit a copy to outside agencies and municipalities for review and further comment

October – 60-Day Review period closes

October – Public Notice: Site Posting, newspaper, website, and mailers between 15-30 days

November 4 – Public Hearing at offsite P&Z meeting to discuss

November 18 – Public Hearing at P&Z for recommendation (recommendation)

November – Public Notice: Site Posting, newspaper, website, and mailers between 15-30 days

December 7 – Public Hearing at City Council to consider Major General Plan Amendment (via resolution with 2/3s vote)

December – send notice of the approval, adoption or readoption of the general plan or major amendment to the general plan to the attorney general by certified mail, return receipt requested, within three business days after the approval, adoption or readoption.

After affirmation from Attorney General – Send a copy of the adopted general plan to the planning agency of Maricopa County.

Status Procedure

We will update city staff via email and telephone calls if any important issues come about as we continue our public outreach. If additional public outreach occurs after the submittal of the Public Outreach Plan, we will provide updates to inform city staff and council members.

CITIZEN PARTICIPATION PLAN RESULTS

Details and Techniques Used to Involve the Public

As part of the Public Outreach Process, the Applicant's representatives have not received any inquiries on the request except as found at the Neighborhood Meeting and through returned Canvassing letters.

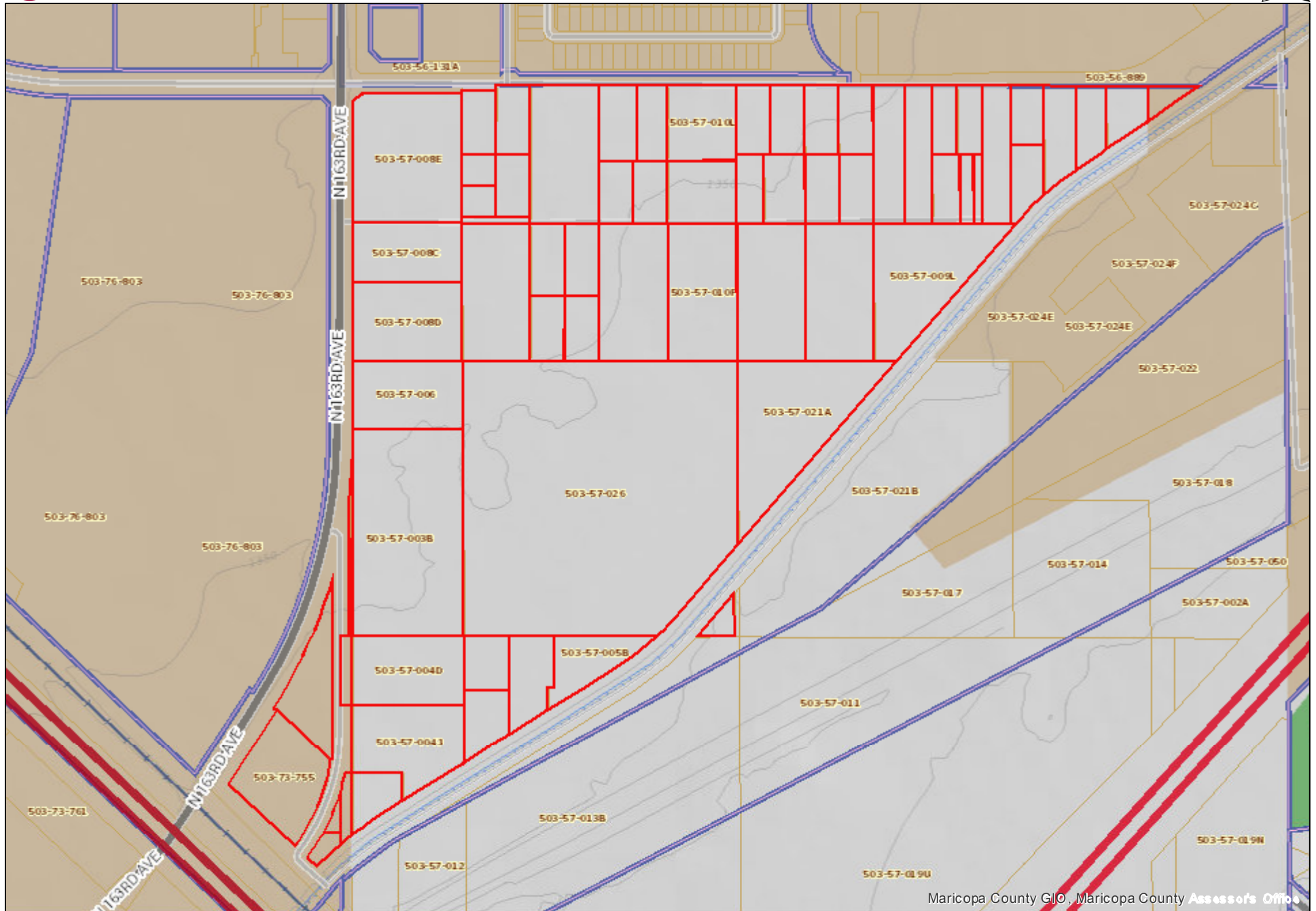
Summary of Concerns, Issues and Problems & How They will be Addressed

The interactions we had with community members at the 7/24/2021 neighborhood meeting were inquisitive in nature and primarily to discuss and further describe the request. The Neighborhood Meeting Minutes are provided in **Appendix 9**.

APPENDIX

- Appendix 1: Buffer Map
- Appendix 2: Canvassing Survey Letter
- Appendix 3: Completed Canvassing Surveys & Correspondence
- Appendix 4: Neighborhood Meeting & Public Hearing Buffer Map
- Appendix 5: Neighborhood Meeting & Public Hearing Mailing List
- Appendix 6: Public Notice Sign Posting Photographic Evidence & Affidavit
- Appendix 7: Neighborhood Meeting Sign-In Sheet
- Appendix 8: Neighborhood Meeting Comment Cards
- Appendix 9: Neighborhood Meeting Minutes

APPENDIX 1



163RD & GRAND AVENUE - GPA & ANNEXATION SURVEY MAILING LIST					
APN	OWNER	ADDRESS	CITY	STATE	ZIP
503-57-010S	ARREOLA ALFREDO/NORMA				
503-57-010T	BARCLAY SURPRISE INC				
503-57-007K	BLUESHORE HOLDINGS LLC				
503-57-038A	BREWER MARIA D				
503-57-039	BREWER MARIA D				
503-57-010N	CAMACHO CESAR/LETITIA				
503-57-008D	CAMPANIA LLC				
503-57-010G	CAMPANIA LLC				
503-57-026	CAMPANIA LLC				
503-73-755	DEACETIS VINCENT/GERALDINE TR				
503-57-009W	FERNANDEZ CARMEN R				
503-57-025Y	FREDRICKSON FAMILY TRUST				
503-57-025Z	FREDRICKSON FAMILY TRUST				
503-57-010Q	FRONSMAN ADELLA M				
503-57-010R	FRONSMAN GEORGE/CRYSTAL				
503-57-033A	GOMEZ CONSEPCION S				
503-57-004C	HANCOCK LAWRENCE G				
503-57-004D	HANCOCK LAWRENCE G				
503-57-035	HERNANDEZ CASIMIRO				
503-57-008E	HUEY RICHARD G/IRENE TR/WONG W O/S O TR/ETAL				
503-73-028V	JOSEPH A SOLDEVERE/ARLENE R REV TRUST				
503-57-028B	LENNAR COMMUNITIES DEVELOPMENT INC				
503-73-756A	LENNAR COMMUNITIES DEVELOPMENT INC				
503-73-756B	LENNAR COMMUNITIES DEVELOPMENT INC				
503-57-007F	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007G	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007H	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007J	MC REAL ESTATE DEVELOPMENT LLC				
503-57-008C	MORGAN CAREY D/LAUREN L				
503-57-047	ODOGUI SAMUEL N/NELLIE				
503-57-049A	ODOGUI SAMUEL/NELLIE				
503-57-048	OROZCO SALVADOR D				
503-57-040	PASILLAS ALBINA SOLIS/FRANCISCO				
503-57-009U	PASILLAS ANTONIO C/ROSARIO IBARRA				
503-57-009P	PASILLAS ANTONIO/AUGUSTIN				
503-57-010L	PEAK RV STORAGE LLC				
503-57-010M	PEAK RV STORAGE LLC				
503-57-004J	SCHULTZ ENTERPRISES WEST LLC				
503-57-010K	SKAGGS M R/M E/RUCH R J/N A				
503-57-041A	SOLIS JUAN A JR/MARTINEZ NORMA				
503-57-041B	SOLIS JUAN A JR/MARTINEZ NORMA				
503-57-042A	SOLIS JUAN A SR				
503-57-009X	SOLIS MARIANO/CYNTHIA				
503-57-033B	SOLIS MARIANO/CYNTHIA				
503-57-009Z	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-031	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-043	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-044	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-045	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-046	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-049B	TELLEZ ELIZABETH ANNAMARIE/VERONICA ADELICIA				
503-57-003A	VALPARAISO LLC				
503-57-003B	VALPARAISO LLC				
503-57-005B	VALPARAISO LLC				
503-57-005D	VALPARAISO LLC				
503-57-005E	VALPARAISO LLC				
503-57-005F	VALPARAISO LLC				
503-57-006	VALPARAISO LLC				
503-57-009J	VALPARAISO LLC				
503-57-009K	VALPARAISO LLC				

503-57-009L	VALPARAISO LLC	
503-57-010F	VALPARAISO LLC	
503-57-021A	VALPARAISO LLC	
503-57-051	VARGAS ALEJANDRINA HERNANDEZ	
503-57-052	VARGAS ALEJANDRINA HERNANDEZ	
503-57-034	WALKER RONALD/PAULA	

APPENDIX 2

May 26, 2021

Proposed Major General Plan Amendment & Annexation to the City of Surprise

Dear Neighbor:

The owners of a property located near you at the northeast corner of 163rd Avenue and Grand Avenue are working with the City of Surprise regarding a Major General Plan Amendment and Annexation of this property. Because Surprises' corporate boundaries surround your area, the City of Surprise has requested that you be contacted to gauge your level of interest in joining the General Plan Amendment and petition for annexation.

This request is specifically to amend the City of Surprise General Plan designation for this area from Commerce & Business to Neighborhood and for annexation into the City of Surprise.

Recognizing that annexation is a personal decision, the City of Surprise typically relies on applications from property owners for proposed annexations to the City. Because the City has requested that you be contacted, information has been provided in this letter describing the annexation process and answering some of the most frequently asked question regarding annexations. A form consenting or opposing to annexation has also been included with a stamped envelope in this letter for your response.

Additional information may be obtained by contacting Jeffrey Blilie with Beus Gilbert McGroder PLLC at (623) 606-0532 or jblilie@beusgilbert.com. You may also contact Joshua Mike at the City of Surprise at (623) 222-3134 or joshua.mike@surpriseaz.gov. If EPS Group, Inc. or the City does not receive a response from you by June 9, 2021, it will be understood that you are not interested in annexing to the City of Surprise.

HOW MUCH DOES IT COST TO ANNEX?

There will be no cost to you to be included with the requests.

WHAT IF THERE IS ONLY SCATTERED INTEREST IN ANNEXING TO THE CITY?

The City is responsible for ensuring logical boundary expansions of cities. This includes ensuring that territory involved in annexation is physically contiguous to city boundaries and that the annexation configuration assures the efficient provision of municipal services. Although annexation boundaries are evaluated on a case-by-case basis, the City's goal is to annex blocks of territory that round out city boundaries and avoid creating unincorporated islands. If the annexation survey of this area results in a scattered response of property owners favoring annexation, the City may decide not to annex properties within the survey area and annex only the area requesting annexation.

HOW LONG WILL IT TAKE TO COMPLETE THE ANNEXATION PROCESS?

To complete the process, it will take approximately 10-12 months. A specific set of steps must be completed prior to and during a required 30-day waiting period before a 1-year timeline is initiated to obtain the necessary signatures on the annexation petition. After the signatures on the annexation petition are verified to meet the requirements of A.R.S. 9-471, the mayor and City Council shall consider an ordinance for annexation. The annexation shall be effective 30 days after adoption.

WHAT SERVICES ARE PROVIDED BY THE CITY?

When you annex into the City of Surprise, you gain access to a number of valuable, high quality benefits, such as:

- **Fire Protection & Medical Response:** The average response time for the City of Surprise Fire is 5 minutes. With well trained and certified firefighters, state of the art medical and firefighting equipment and excellent training programs, the City of Surprise Fire Department is one of the best in Arizona.
- **Police Protection:** Surprise Police's average response time for priority-1 calls is under 5 minutes. The Police department has highly trained officers who work to keep the neighborhoods safe and respond quickly to emergencies as they arise.
- **Refuse Recycling Collection:** The City's weekly collection service includes pickup of both trash and recyclables. A low monthly fee also covers other solid waste services such as curbside Brush and Bulky pickup, landfill operations, neighborhood cleanup, annual Christmas tree recycling and household hazardous waste events.
- **Street Maintenance:** Upon annexation, the City of Surprise assumes responsibility for repair, sweeping and maintenance of all paved public streets. Street name and traffic regulation signs also will be maintained and/or installed where appropriate.
- **Neighborhood Services:** The City of Surprise helps interested neighborhoods form neighborhood associations, supports neighborhood associations by mailing newsletters, keeping associations informed about important City issues, and assisting with code enforcement.
- **Participation in City Elections & Decisions:** Joining the City of Surprise gives you a voice in decisions and issues that are governed by the City of Surprise, many of which impact the entire region.
- **Water Services:** Water and wastewater service for your area will not change when you join the City of Surprise.

Sincerely,

Jeffrey M. Blilie

Beus Gilbert McGroder PLLC

(623) 606-0532

Jblilie@beusgilbert.com

163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

_____ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

_____ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

_____ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

_____ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

Name (please print) Signature Date

Name (please print) Signature Date

Address (please print)

Assessor Parcel Number(s)

Phone Number

APPENDIX 3



**163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey**

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

___ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

___ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

CURTIS R. SCHULTZ
Name (please print)

[Signature]
Signature

6/1/21
Date

Name (please print)

Signature

Date

[Redacted Address]
Address (please print)

Assessor Parcel Number(s)

[Redacted Phone Number]
Phone Number



**163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey**

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

☒ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

☐ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

☐ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

WALTER WONG
Name (please print)

Walter Wong
Signature

6/9/2021
Date

Shirley Wong
Name (please print)

Shirley Wong
Signature

6/9/2021
Date

[REDACTED]
Address (please print)

[REDACTED]
Assessor Parcel Number(s)

[REDACTED]
Phone Number

163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

____ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

____ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

Lawrence Hancock [Signature] 5/30/21
Name (please print) Signature Date

Name (please print) Signature Date

[Redacted Address]
Address (please print)

[Redacted]
Assessor Parcel Number(s)

[Redacted]
Phone Number

From: [Natalie Maikoski](#)
To: "Jeffrey Blilie" [REDACTED]
Cc: "Joshua Mike"
Subject: RE: Project on 163rd and Grand Ave in Surprise
Date: Monday, June 14, 2021 3:57:00 PM
Attachments: [image001.png](#)
[21-0187-163rd & Grand Ave. Final Plat \(Narrative\).pdf](#)
[21-0187-163rd & Grand Ave. Major General Plan Amendment \(Exhibit\).pdf](#)

Good afternoon Dr. Musial,

I am a Planner with EPS Group and am representing the property owner regarding a proposed General Plan Amendment and future Rezone and Annexation into the City of Surprise. The owner wishes to develop a high-quality residential community and is requesting the site's General Plan designation be amended from Commerce/Office to Neighborhood land uses.

I've attached our formal General Plan Amendment package to this email for your review. These documents are also currently under review by the City. The Annexation and Rezone requests are anticipated to be submitted after the neighborhood meeting on 6/23.

Please let me know if you have any questions or comments.
Thank you!

Natalie Maikoski (Griffin) | EPS Group, Inc.

Planner

1130 N Alma School Road, Suite 120 | Mesa, AZ 85201

O: 480.503.2250 | natalie.griffin@epsgruppinc.com

[LinkedIn](#) | [Twitter](#) | [Facebook](#)



Notice to Recipients of Electronic Files from EPS Group, Inc.: All electronic files are for recipient's use only and all files are subject to revisions. EPS Group, Inc. makes no guarantees nor warrants the accuracy or completeness of any of the information contained in these files, as recipients should verify all information with actual sealed and signed documents. It shall be the responsibility of recipients to obtain any future updates from EPS Group, Inc.

From: Jeffrey Blilie <jbililie@beusgilbert.com>
Sent: Friday, June 11, 2021 1:34 PM
To: Natalie Maikoski <Natalie.Maikoski@epsgruppinc.com>
Subject: FW: Project on 163rd and Grand Ave in Surprise

Jeffrey M. Blilie

BEUS GILBERT MCGRODER PLLC

701 North 44th Street | Phoenix, AZ 85008

Direct: 623.606.0532

Email: jblilie@beusgilbert.com

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

From: izabela musial [REDACTED]

Sent: Friday, June 11, 2021 1:33 PM

To: Jeffrey Blilie <jblilie@beusgilbert.com>; joshua.mike@surpriseaz.gov

Subject: Project on 163rd and Grand Ave in Surprise

Goodafternoon.

My name is Izabela Musial and with my family I live at 16059 W. Pinnacle Peak RD
Im requesting documents regarding this project and maps so I can prepare for the meeting.
The letter is very vague and maps confusing. Please provide us with what is proposed what
developments will be in the area Etc?

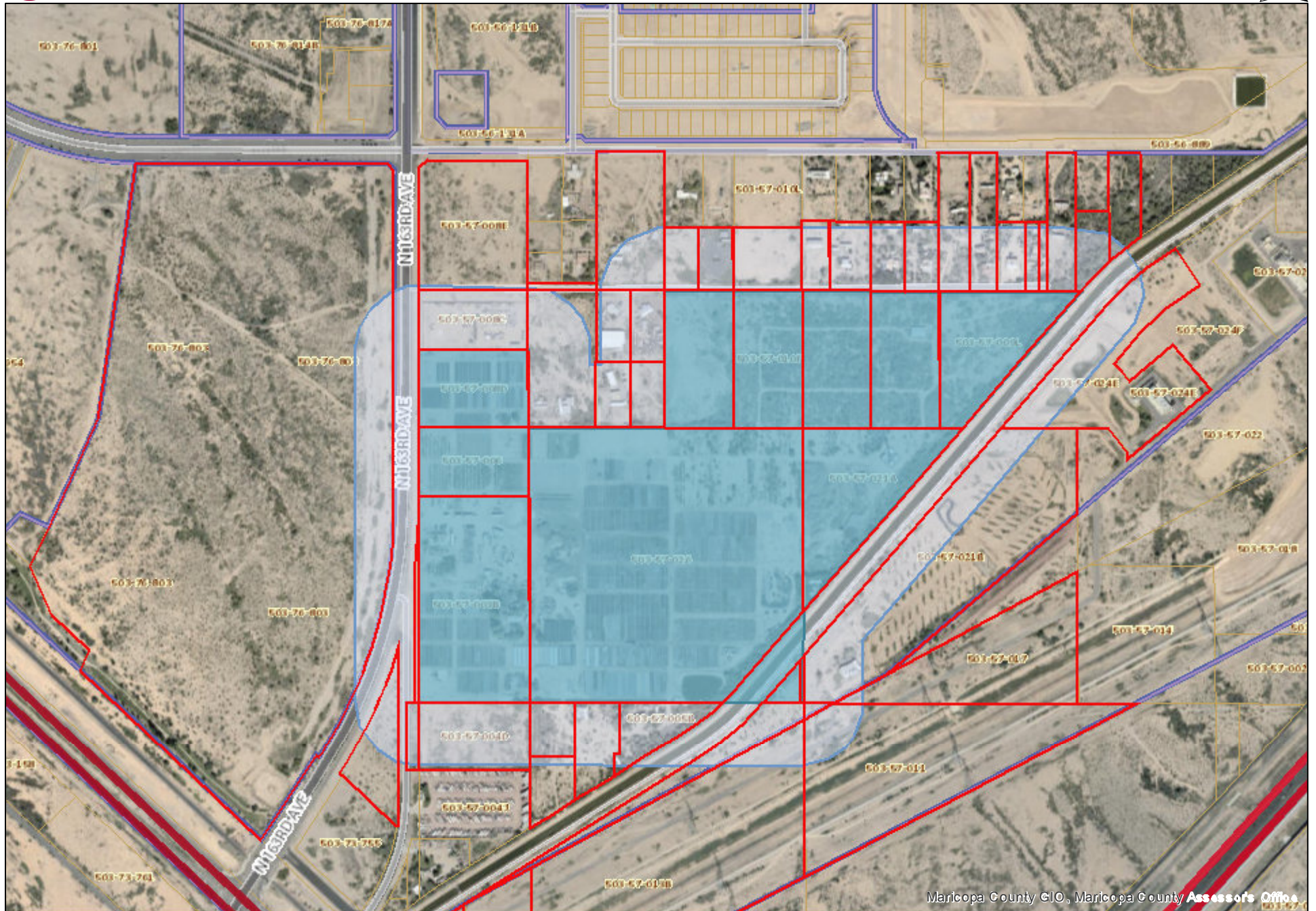
Thank you,
Sincerely,
Izabela Musial MD FAAFP

[REDACTED]

CAUTION - EXTERNAL EMAIL

Phishing? Forward to Helpdesk or _Trouble ticket

APPENDIX 4



APPENDIX 5

163RD & GRAND AVENUE - MAILING LIST (300')					
APN	OWNER	ADDRESS	CITY	STATE	ZIP
503-57-016	29 PALMS RV & BOAT STORAGE LLC				
503-57-019G	29 PALMS RV & BOAT STORAGE LLC				
503-57-021B	29 PALMS RV & BOAT STORAGE LLC				
503-57-025G	29 PALMS RV & BOAT STORAGE LLC				
503-57-010S	ARREOLA ALFREDO/NORMA				
503-57-010T	BARCLAY SURPRISE INC				
503-57-038A	BREWER MARIA D				
503-57-010N	CAMACHO CESAR/LETITIA				
503-57-008D	CAMPANIA LLC				
503-57-010G	CAMPANIA LLC				
503-57-026	CAMPANIA LLC				
503-57-009W	FERNANDEZ CARMEN R				
503-57-011	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY				
503-57-013B	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY				
503-57-017	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY				
503-57-010Q	FRONSMAN ADELLA M				
503-57-010R	FRONSMAN GEORGE/CRYSTAL				
503-57-033A	GOMEZ CONSEPCION S				
503-57-004C	HANCOCK LAWRENCE G				
503-57-004D	HANCOCK LAWRENCE G				
503-57-008E	HUEY RICHARD G/IRENE TR/WONG W O/S O TR/ETAL				
503-73-028V	JOSEPH A SOLDEVERE/ARLENE R REV TRUST				
503-76-803	KIMCO BARCLAY SURPRISE II LLC				
503-57-024E	LCD ASANTE LLC				
503-57-007G	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007H	MC REAL ESTATE DEVELOPMENT LLC				
503-57-008C	MORGAN CAREY D/LAUREN L				
503-57-047	ODOGUI SAMUEL N/NELLIE				
503-57-048	OROZCO SALVADOR D				
503-57-009U	PASILLAS ANTONIO C/ROSARIO IBARRA				
503-57-009P	PASILLAS ANTONIO/AUGUSTIN				
503-57-010M	PEAK RV STORAGE LLC				
503-57-010K	SKAGGS M R/M E/RUCH R J/N A				
503-57-009X	SOLIS MARIANO/CYNTHIA				
503-57-009Z	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-031	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-045	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-046	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-003A	VALPARAISO LLC				
503-57-003B	VALPARAISO LLC				
503-57-005B	VALPARAISO LLC				
503-57-005D	VALPARAISO LLC				
503-57-005E	VALPARAISO LLC				
503-57-005F	VALPARAISO LLC				
503-57-006	VALPARAISO LLC				
503-57-009J	VALPARAISO LLC				
503-57-009K	VALPARAISO LLC				
503-57-009L	VALPARAISO LLC				
503-57-010F	VALPARAISO LLC				
503-57-021A	VALPARAISO LLC				
503-57-034	WALKER RONALD/PAULA				

APPENDIX 6



CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING
(Sign modification)

Application No: FS21-257
Applicant Name: _____
Location: South of the Southeast corner of 163rd and Ave and Pinnacle Peak Rd
Date Site Posted: May 28th, 2021 sign modified: July 14th, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any type of public hearing in the City of Surprise shall erect two (2) signs giving notice of the date, time and place of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior** to the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the responsibility of the applicant to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the responsibility of the applicant to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt
Applicant/Representative Signature

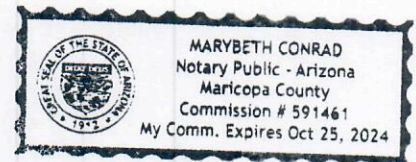
7-14-2021
Date

This instrument was acknowledged before me on this 14th day of July, 2021, and by Maria Hitt. I witness whereof I hereunto set my hand and official seal.

Marybeth Conrad
Notary Public

10-25-2021
My commission expires

Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least **fifteen (15) days prior** to the scheduled meeting(s).



AFFIDAVIT OF POSTING

Application No: FS21-512 and FS21-513

Applicant Name:

Location: South of the Southeast corner of 163rd Ave and Pinnacle Peak Rd

Date Site Posted: July 14, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt
Applicant/Representative Signature

7-14-2021
Date

This instrument was acknowledged before me on this 14th day of July, 2021, and by Maria Hitt. I witness whereof I hereunto

set my hand and official seal.

Marybeth Conrad
Notary Public
10-25-2024
My commission expires



APPENDIX 7



Sign-In Sheet Neighborhood Meeting

Please provide all information so that we can provide you with future updates and notifications of meetings and/or hearing.

Name	Larry Hancock	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Casimiro Hernandez	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Gary Webb & Vicki Webb	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Scott & Janice Phillips	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Donald Thomas Izabela music	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Matt Keating	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	P&Z Commissioner
Name	Sam & Nellie Odogui	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	[REDACTED]
Name	Crystal Fronsman	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	[REDACTED]
Name	Adella Fronsman	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	[REDACTED]

APPENDIX 8

Comment Card
Neighborhood Meeting



Optional

Name: GARY Webb

Address: [REDACTED]

Email: [REDACTED]

Would you like to be added to an
e-mail subscription list for updates on
this project?

Yes



No



Please provide your comments:

WHAT ROAD IMPROVEMENT
ARE PLANNED WITH
THIS DEVELOPMENT

AND WILL THE DEVELOPERS
BE HELPING WITH ANY
OF THEM

APPENDIX 9

Meeting Minutes

Project Name: 163rd and Grand Avenue
Project No.: 21-0167

Date: July 29, 2021

Meeting Location: Asante Prep Academy and Online – GoToMeeting
Meeting Date: July 29, 2021
Meeting Time: 6:00 – 6:50 PM

Development Team Attendees:

Jeff Blilie	Beus Gilbert Mcgroder, PLLC	jblilie@beusgilbert.com
David Hughes	EPS Group	david.hughes@epsgroupinc.com
Peter Margoliner	EPS Group	peter.margoliner@epsgroupinc.com
Natalie Maikoski (online)	EPS Group	natalie.maikoski@epsgroupinc.com

Public Attendees:

See attached attendance list.

Meeting Summary:

A neighborhood meeting was held at the above listed date, time and place to discuss a proposed annexation, General Plan Amendment, and Rezone request for future residential development, located on the east corner of 163rd and Grand Avenue, within the proposed annexation boundary of the City of Surprise. Jeff Blilie, along with EPS Group, hosted the meeting and gave a presentation. Following the presentation, a Question & Answer Session was in held in which members of the public were able to ask questions and give comments, to which the Development Team responded to. The public's comments and concerns are described below.

Questions Asked:

- Some residents stated that they did not get letters in the mail while others stated that they did.
 - The Development Team will update the list of residents to be notified of future meetings and Public Hearings.
- How many residential units will be created and if there was going to be any multi-family?
 - There is a multifamily development planned for about 240 units.
- Will the R-3 be for rent?
 - Yes.

Meeting Minutes

Project Name: 163rd and Grand Avenue
Project No.: 21-0167

Date: July 29, 2021

- What will happen to the tree farm?
 - It will go away.
- How long until it develops.
 - An estimate would be around two years.
- Who started the process?
 - The subject site property owners initiated the request and started the process.
- What are the advantages and disadvantages of joining the city?
 - One major advantage is for access to city utilities. A disadvantage discussed was being under City of Surprise code enforcement.
- What will happen to Planada Street? Will it go to 163rd?
 - It will be improved out to 163rd Street.
- How far north will 163rd be improved?
 - 163rd will be improved along the property line and will comply with City requirements for future developments.
- How does council feel about this?
 - The council member that was present was not a fan of the proposed product.
- Is there a range on square footage and price for the proposed development?
 - It is too early to determine price and square footage.
- Will the rezoning affect anything outside the boundary?
 - No.

Conclusion:

The meeting was adjourned at 6:50 PM when no other questions or comments were requested.

The above is the author's recollection of items discussed and the decisions reached. If there are any corrections or additions to be made, please contact the author. These meeting notes shall become part of the project file.

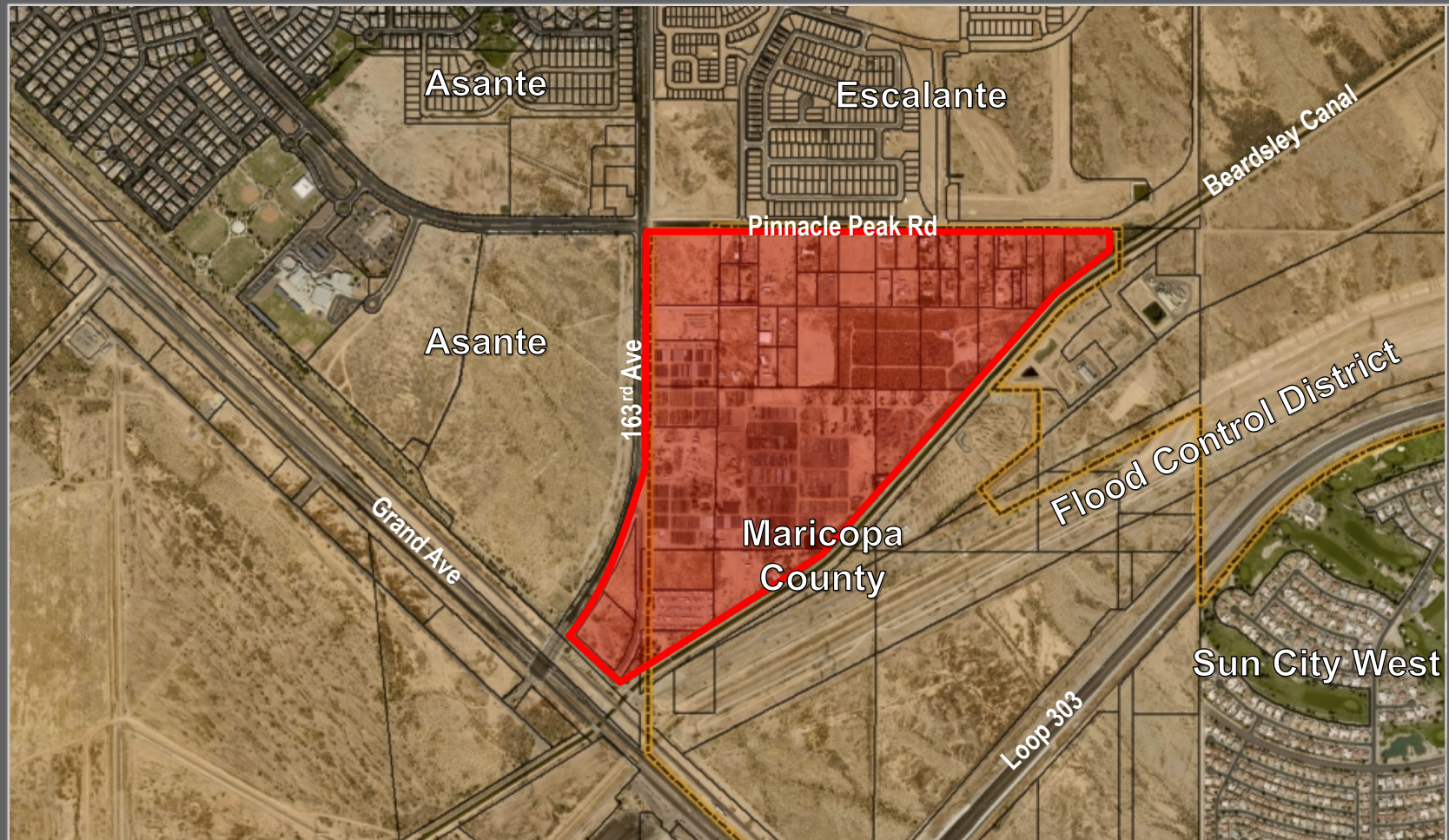


FS21-257

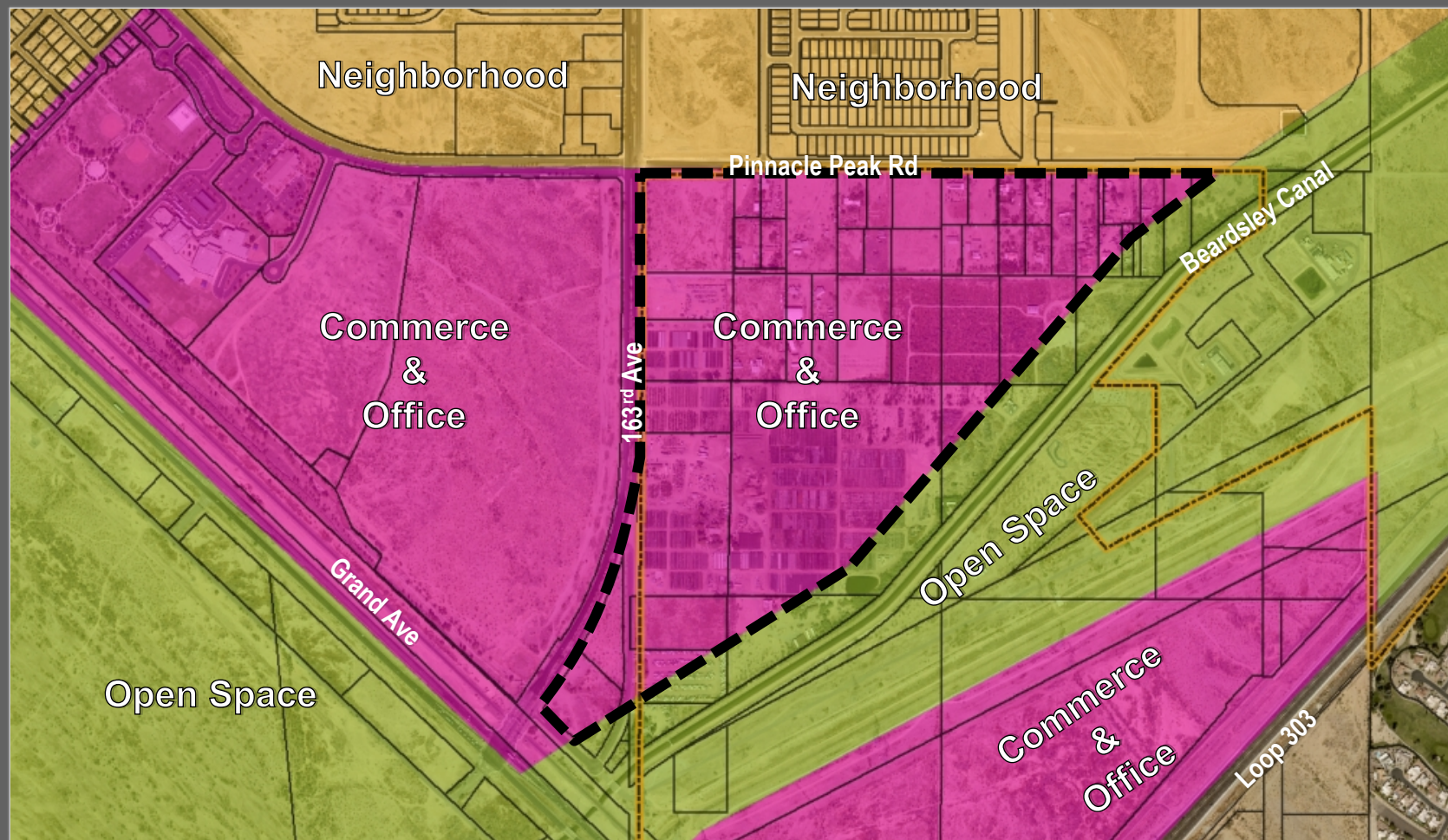
**163rd Ave & Grand Ave
Major General Plan Amendment**

Planning and Zoning Commission

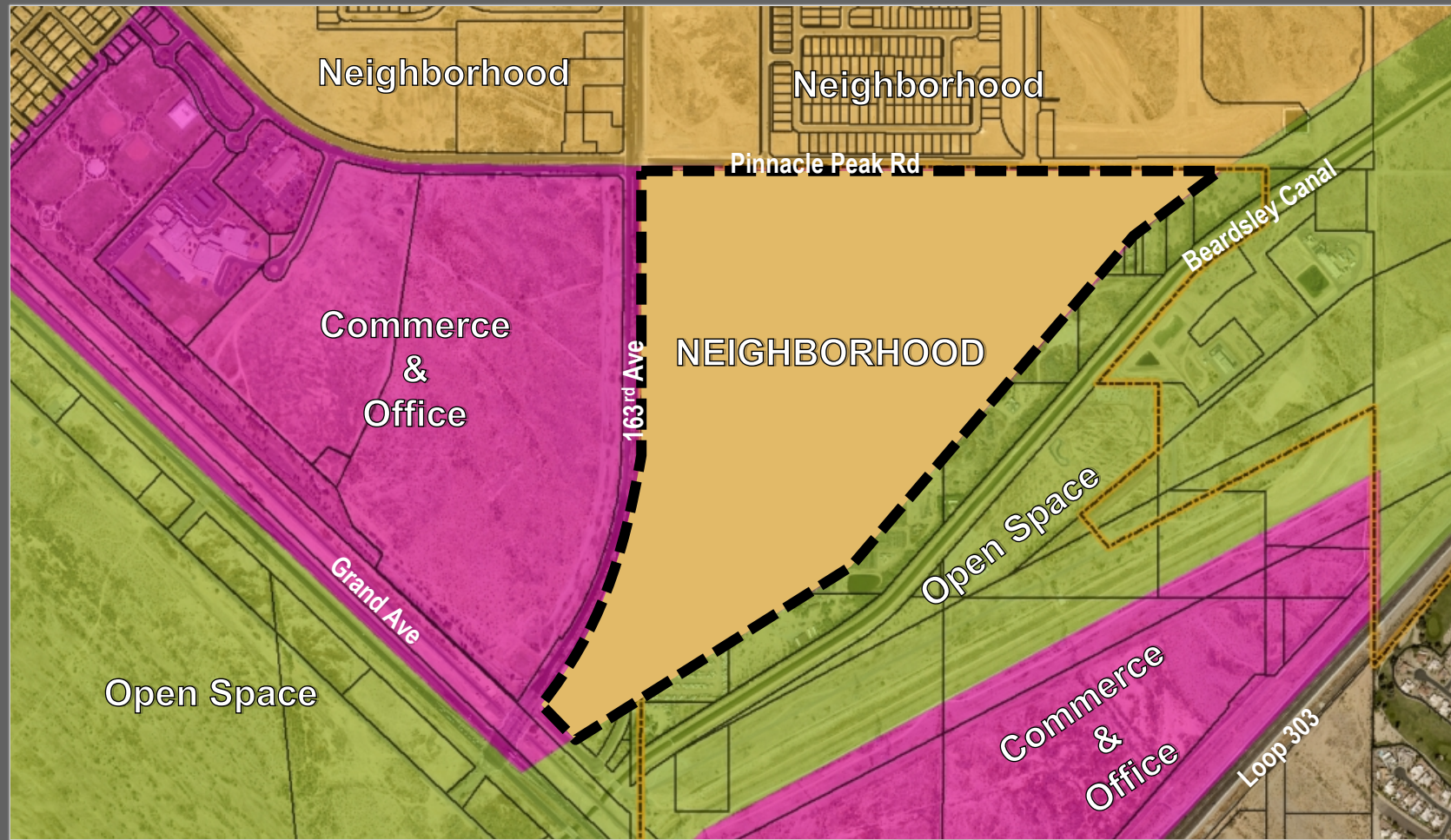
November 18, 2021



VICINITY MAP



EXISTING GP LAND USE



PROPOSED GP LAND USE



QUESTIONS OR COMMENTS?

Thank You